

AN AMENDED RESOLUTION

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION AGREEMENT AND SECOND AMENDMENT TO CONTRACT 6419-95, THE LEASE AGREEMENT WITH FIRST UNION NATIONAL BANK FOR BANKING SERVICES AND FOREIGN CURRENCY EXCHANGE CONCESSION IN THE CENTRAL PASSENGER TERMINAL COMPLEX AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, WHICH SHALL EXTEND THE TERM FOR FIVE (5) YEARS, AND WHICH SHALL AMEND THE PREMISES WITH RESPECT TO AUTOMATIC TELLER MACHINES, THE OPERATIONS WITH RESPECT TO THE BANKING CENTER WEEKEND HOURS, AND PROVIDE FOR ELIMINATION OF WEEKEND CREDITS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta and First Union National Bank are parties to a Lease Agreement (Contract FC 6419-95), dated June 10, 1996, as heretofore amended by a First Amendment dated June 14, 1999, covering the Banking Services and Foreign Currency Exchange Concession in the Central Passenger Terminal Complex at Hartsfield Atlanta International Airport, hereinafter the "Airport," for a term of five years from June 1, 1996, through May 31, 2001; and

WHEREAS, the Lease Agreement, in Section 2 thereof, grants the City the exclusive right to extend the Term thereof for one additional period of five (5) years; and

WHEREAS, the Department of Aviation recommends that the term of said Lease Agreement be extended, pursuant to said exclusive right, and that certain terms and conditions thereof be amended, and First Union National Bank is ready and willing to continue providing banking and foreign currency exchange services under such amended terms during such extension period, as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and he hereby is authorized to execute on behalf of the City of Atlanta an Extension Agreement and Second Amendment to said Lease Agreement, FC 6419-95, as heretofore amended, with First Union National Bank, for Banking Services and Foreign Currency Exchange Concession at the Airport, which shall contain substantially the following terms and conditions:

1. The Term shall be extended for five (5) years, from June 1, 2001, to May 31, 2006.
2. The Premises as described in Section 1.1 thereof shall be amended by adding two (2) new locations for Automatic Teller Machines ("ATM's") in the Ground Transportation Center on the West Curb area of the Landside Terminal Buildings in specific locations to be designated by the Aviation General Manager.
3. The minimum number of ATM's required in Subsection 1.2D to be maintained in the Premises shall be increased from twelve (12) to fourteen (14) at all times.

4. The weekend hours of operation of the Banking Center in the Atrium, as provided in Subsection 3.2, shall be changed from mandatory to discretionary on the part of the Aviation General Manager, first, and First Union National Bank, second, with the City, acting through the Aviation General Manager, having the right to eliminate the Weekend Credits provided for in Subsections 3.2 and Section 5.2 upon at least thirty (30) days prior written notice to First Union National Bank.
5. The said Extension Agreement and Second Amendment also shall include such other terms and conditions as are required by City Ordinances or customarily included in agreements of a similar nature at the Airport.

BE IT FURTHER RESOLVED, that the City Attorney be and hereby is directed to prepare said Extension Agreement and Second Amendment for execution by the Mayor, to be approved as to form by the City Attorney.

BE IT FURTHER RESOLVED, if the contract is not executed within 90 days of the day of approval by City Council, then the Aviation General Manager shall appear before the next scheduled Transportation Committee to explain why the contract has not been executed within the 90 day time period, and the contract shall require reauthorization by the Council.

BE IT FINALLY RESOLVED, that said Extension Agreement and Second Amendment shall not become binding upon the City, and the City shall incur no obligation nor liability thereunder until the same has been signed by the Mayor and delivered to First Union National Bank.